

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

Maximo Gallegos Jr.

PRINCIPAL

YOB: 1986

United States Citizen

United States District Court
Southern District of Texas
FILED

AUG 18 2016

Clerk of Court

CRIMINAL COMPLAINT

Case Number:

M-16-1531-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 16, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Oscar Francisco Gutierrez-Guevara and Jonathan Leonel Flores-Romero, both citizens of El Salvador, along with fourteen (14) other undocumented aliens, for a total of sixteen (16), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near McAllen, Texas to the point of arrest near Edinburg, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On August 9, 2016, the Rio Grande Valley Operations Center received a call from a concerned citizen stating he had seen a minivan drop off what the caller believed to be undocumented aliens. The caller told agents the people were dropped off at 1610 Lakeshore Drive in Edinburg, Texas.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ NoApproved to file: ANSA

Signature of Complainant

Julio Ibarra Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

August 18, 2016

Date

at McAllen, Texas
City and StateDorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-1531-M

RE: Maximo Gallegos Jr.

CONTINUATION:

On August 16, 2016, RGV FIT Agents S. Quintanilla and T. Antone conducted surveillance at 1610 Lakeshore Drive. At approximately 12:35 p.m., a male subject, later identified as Maximo GALLEGOS Jr., arrived at 1610 Lakeshore Drive, in a pewter colored GMC Terrain and parked in front of the apartment complex. Three adult males exited the GMC and walked to the front door. To the agents, the three men appeared to be unsure of where they were supposed to go, and stopped and looked back at GALLEGOS, who was still in the GMC. GALLEGOS left the location after they entered the apartment.

At approximately 3:05 p.m., GALLEGOS and another male passenger arrived at 1610 Lakeshore Drive once again. GALLEGOS backed the car up to the front door, and the passenger exited and knocked on the door of the apartment. Someone came out of the apartment, and the passenger and the man from the apartment proceeded to unload the groceries. Without ever exiting the vehicle, GALLEGOS drove away from the apartment once again.

GALLEGOS immediately travelled to Kmart on 10th street, and parked next to an SUV. Two people exited the SUV and entered the GMC. GALLEGOS then left and drove to the Walmart on South Jackson Road. He parked next to a white sedan, and a few people exited the sedan and again boarded the GMC.

GALLEGOS left the Walmart parking lot and drove directly to 1610 Lakeshore Drive. This time GALLEGOS exited the GMC and walked to the front door. Four adult males then exited the GMC and entered the apartment single file.

Once the four subjects were inside the apartment, GALLEGOS re-entered the GMC and drove off. Edinburg PD officer O. Pacheco conducted a traffic stop at Monte Cristo and Seminary Rd. for exceeding the posted speed limit.

RGV FIT Agents R. Ramirez and H. Cerda arrived and identified the driver as Maximo GALLEGOS, a United States Citizen. Agents asked GALLEGOS if he was involved in alien smuggling, and GALLEGOS told him he had picked up several illegal aliens and dropped them off at 1610 Lakeshore Drive.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-1531-M

RE: Maximo Gallegos Jr.

CONTINUATION:

Agents read GALLEGOS his rights and placed him under arrest. GALLEGOS told agents there were approximately 16 illegal aliens inside the apartment, and told agents he did not live there, but granted consent to enter the apartment.

At approximately 5:00 p.m., RGV FIT agents and Hidalgo County SO drove to 1610 Lakeshore Drive and conducted a knock and talk. Someone initially opened the door, and immediately slammed it shut. Seven subjects then fled out the back door and through the back yard, away from the apartment. They were immediately apprehended. All 7 admitted to being in the United States illegally. Some of the people told the agents they needed to recover their property from within the house, and were escorted back in. While inside the house, agents discovered an additional 9 illegal aliens still hiding inside.

PRINCIPAL'S STATEMENT:

At the traffic stop Maximo GALLEGOS Jr. was read rights. GALLEGOS stated he was willing to provide a statement without the presence of an attorney.

GALLEGOS told agents he was hired by a man named Julian. Julian pays him 85 dollars per illegal alien he transports. He has been working for Julian about a month, and has transported approximately 23 illegal aliens so far. To date, he has received approximately \$300 (USD) from Julian. According to GALLEGOS, Julian is in charge of moving the illegal aliens through the checkpoints.

MATERIAL WITNESSES' STATEMENTS:

Both material witnesses were read their rights. Both stated they were willing to provide a statement without the presence of an attorney.

1- Oscar Francisco Gutierrez-Guevera, a citizen of El Salvador, told agents he was charged to be smuggled into the United States, but does not know how much. After illegally crossing the Rio Grande River, he was transferred to several different cars and in different store parking lots. He was ultimately transferred to an SUV, and the driver then picked up two additional people in another store parking lot. The driver then travelled to the stash house and instructed them to wait for him to open the apartment door, and enter the apartment single file. Gutierrez identified GALLEGOS as the driver who took him to the stash house.

2- Jonathan Leonel Flores-Romero, a citizen of El Salvador, stated he was charged to be smuggled into the United States. After illegally crossing the river, he was picked up and taken to a temporary stash house. After someone picked him up from there, he was transferred to another vehicle and the driver took him to the stash where he was arrested. Flores identified GALLEGOS as the driver of the last vehicle.